

February 3, 2004

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, February 3, 2004 at 6:00 p.m. in the Courthouse Annex VI Superior Courtroom, 116 South Broad Street, Monroe, Ga. Those present included Chairman Kevin Little, Commissioners Clinton Ayers, Phil Green, Lamar Palmer, Gerald Atha and John Robinson, County Clerk Leta Talbird, County Attorney Ken Lander, Planning Director Mike Martin and Financial Officer Merridy McDaniel. A list of citizens and other employees in attendance at this meeting is on file in the auxiliary file under this meeting date. Commissioner Turner did not attend the meeting due to a death in the family.

Chairman Little called the meeting to order at 6:04 p.m. and led those present in the Pledge of Allegiance. Commissioner Ayers opened the meeting in prayer.

Commissioner Ayers made a motion to adopt the agenda as presented, with requested additions. Commissioner Green seconded the motion. All voted in favor.

Commissioner Green made a motion to table an update on the Comcast Franchise Agreement at the request of the County Attorney. Commissioner Palmer seconded the motion; voted and carried unanimously.

Commissioner Green made a motion to table a decision on an amendment to the contract with The Facility Group for recreation master planning services. Commissioner Atha seconded the motion. All voted in favor.

Commissioner Ayers made a motion to table a decision on an amendment to the contract with W.K. Dickson for the Great Walton Bikeway project. Commissioner Atha seconded the motion; voted and carried unanimously.

Planning Director Mike Martin presented a resolution regarding Georgia Water Law & Policies for the Board's consideration. Commissioner Green made a motion to adopt the resolution. Commissioner Atha seconded the motion. All voted in favor.

Mr. Martin stated that a request had been filed by the applicant to withdraw, without prejudice, a rezone request from A-1 to R-1 for Harrington Homes, Inc. – N. Sharon Church Road & White Road. Commissioner Ayers made a motion to approve withdrawal of the rezone request without prejudice. Commissioner Palmer seconded the motion; voted and carried unanimously.

Chairman Little read aloud a request from Nextel Communications to withdraw, without prejudice, a Conditional Use request for a telecommunications tower at 2710 Mt. Paran Church Road. Commissioner Palmer made a motion to approve withdrawal of the Conditional Use request without prejudice. All voted in favor.

The Board considered a Planning Commission recommendation to deny a rezone request from A-1 to B-2 for William A. Stark. The effected property is located on Ga. Hwy. 20 and is further identified on WC Tax Map C 6, Parcel 41 A. The purpose of the request is to rezone 10.511 acres to B-2 for minor automotive repair and maintenance. Chairman Little opened the public hearing on the matter. William Stark came before the Board in support of the rezone. Barry Ford, Junior Hall, Clifford Ford, Leon Escoe and Makhya Stark spoke in support of the rezone. Chairman Little stated that the applicant's brother, Timothy Stark, had attended the January 6, 2004 meeting opposing the rezone.

(Commissioner Robinson entered the meeting at 6:40 p.m.)

Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to table a decision on the rezone request until the March 2, 2004 meeting due to Commissioner Turner's absence. The effected property is located within Commissioner Turner's district. Commissioner Atha seconded the motion. All voted in favor.

The Board discussed the Board of Education's request for assistance from the DOT for a center turn lane on Ga. Hwy. 81 & Youth Jersey at the new school. Chairman Little presented drawings of the proposed decel lane and center turn lane. He stated that the Board of Education is also requesting assistance from the County in funding the decel lane. The Board directed County Attorney Ken Lander to prepare a legal opinion on the request if the matter cannot be resolved at a meeting to be held on Thursday at the Board of Education. Commissioner Ayers made a motion to approve having Precision Planning prepare material quantity estimates. Commissioner Palmer seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve, with conditions, a rezone from A-1 to R-1 w/ OSC Overlay for Mark Willett. The effected property is located on Emmett Still Road and is further identified on WC Tax Map C 52, Parcel 113. The purpose of the request is to rezone 14.895 acres to R-1 with an OSC Overlay. Chairman Little opened the public hearing on the matter. Mark Willett came before the Board in support of the rezone. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Commissioner Green made a motion to approve the rezone with the condition that the final layer of asphalt is placed on the road after the last lot is sold or at the time of the bond release, whichever comes first. He further moved that the rezone be conditioned on playground equipment being placed in the open space. Commissioner Palmer seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone request from A-1 to R-1 w/ 2,400 sq. ft. Overlay for Regency Land Corporation. The effected property is located on June Ivey Road and is further identified on WC Tax Map C 7, Parcel 3. The purpose of the request is to rezone 30.44 acres to R-1 with 2,400 sq. ft. Overlay. Chairman Little opened the public hearing on the matter. Dan Stovall, representing the applicant, came before the Board in support of the rezone. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion to approve the rezone. Commissioner Palmer seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve, with conditions, a rezone request from A-1 to R-1 w/ OSC Overlay for Y.D.I., Inc. The effected property is located on Miller Bottom Road and is further identified on WC Tax Map C 12, Parcels 12 & 14. The purpose of the request is to rezone 68.2 acres to R-1 w/ OSC Overlay. Chairman Little opened the public hearing on the matter. Ryan Sullivan, representing the applicant, came before the Board in support of the rezone. Mary Rottenberry, who owns property adjacent to the proposed development, asked if her property would be effected by the open space plan. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the rezone. Commissioner Green seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve, with conditions, a rezone request from A-1 to R-1 with OSC Overlay for Amy Henderson Preston. The effected property is located on Sharon Church Road and is further identified on WC Tax Map C 12, Parcels 46, 47 & 48. The purpose of the request is to rezone 84.00 acres to R-1 w/OSC Overlay.

Chairman Little opened the public hearing on the matter. Attorney Gene Benton, representing the applicant, came before the Board in support of the rezone. Mr. Benton reserved the applicant's Constitutional rights for the record. Billy Hudson spoke in opposition to the rezone, citing concern over the cemetery located on the property. Mr. Benton stated that the applicant is in the process of doing a preliminary archeology study and will set aside and preserve the graves according to the Ordinance. Chairman Little closed the public hearing on the matter. Commissioner Atha made a motion to approve the rezone with the condition of the minimum house size being 2,000 sq. ft. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve an amendment to the WC Land Development Ordinance Article 11, Part 3 – Erosion and Sedimentation Control. Commissioner Robinson made a motion to approve the amendment. Commissioner Palmer seconded the motion; voted and carried unanimously.

The Board considered a Planning & Development Office recommendation to accept right of way and improvements on the following subdivision roads: Cevera Lakes Subdivision Phase III – Hollyridge Drive, Emily Way, Arblay Place, Hannah Court; Stonecrest Estates Subdivision – Stonecrest Place, Granite Grove, Pebble Place, Travitine Trail; Annslee Lakes Subdivision – Annslee Circle, Annslee Lane, Annslee Court & Poplar Ridge Subdivision – Poplar Ridge Drive. Commissioner Robinson made a motion to accept the aforementioned right of ways and improvements. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a proposal from Bob Von Itter and Mitch McGee in regard to paving South Cross Lane Road. Commissioner Ayers made a motion to deny the request based on the fact that it goes against the Code. Commissioner Robinson seconded the motion. All voted in favor.

Major Travis Brown of the Sheriff's Department presented a request for funding of staff for the new jail addition. Commissioner Atha made a motion, seconded by Commissioner Palmer, to approve the request. All voted in favor. Commissioner Atha made a motion to approve the appropriate budget amendment for the funding. Commissioner Robinson seconded the motion. All voted in favor.

The Board considered a contract with BellSouth Telecommunications, Inc. for a new 911 telephone system. Commissioner Green made a motion to approve the contract. Commissioner Ayers seconded the motion. All voted in favor.

The Board considered a Contract for Fire Protection Services with the Town of Good Hope. Commissioner Ayers made a motion to approve the contract contingent upon review by the Fire Chief. Commissioner Palmer seconded the motion. All voted in favor.

At 7:50 p.m., Commissioner Green made a motion, seconded by Commissioner Robinson, to enter into executive session to discuss potential litigation. Commissioners Ayers, Green, Palmer, Atha and Robinson voted in favor.

At 8:55 p.m. Commissioner Palmer made a motion, seconded by Commissioner Atha, to return to regular session. Commissioners Ayers, Green, Palmer, Atha and Robinson voted in favor. No votes were taken in executive session.

The Board discussed the possible sale of property in Walton Industrial Park.

At 9:12 p.m., Commissioner Green made a motion, seconded by Commissioner Ayers, to adjourn the meeting.

All documents of record for this meeting are on file in either the addendum book or auxiliary file under this meeting date.

<u>KEVIN W. LITTLE, CHAIRMAN</u>	<u>LETA P. TALBIRD, CLERK</u>
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<u>CLINTON AYERS, DISTRICT 1</u>

<u>HARRY P. GREEN, DISTRICT 3</u>	<u>LAMAR PALMER, DISTRICT 4</u>
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<u>GERALD ATHA, DISTRICT 5</u>	<u>JOHN ROBINSON, DISTRICT 6</u>
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